

AMENDED IN ASSEMBLY JUNE 24, 2015

AMENDED IN SENATE JUNE 2, 2015

AMENDED IN SENATE APRIL 23, 2015

AMENDED IN SENATE APRIL 6, 2015

**SENATE BILL**

**No. 359**

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**Introduced by Senator Mitchell**  
**(Coauthors: Senators Beall and Hancock)**  
(Coauthor: Assembly Member Jones-Sawyer)

February 24, 2015

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An act to add Section 51224.7 to the Education Code, relating to pupil instruction.

LEGISLATIVE COUNSEL'S DIGEST

SB 359, as amended, Mitchell. California Mathematics Placement Act of 2015.

(1) Existing law establishes a system of public elementary and secondary education in this state, and authorizes local educational agencies throughout the state to provide instruction to pupils.

This bill would enact the California Mathematics Placement Act of 2015. The bill would require governing boards of local educational agencies, as defined, serving pupils in grade 8 or 9, or both, that do not have a mathematics placement policy as of January 1, 2016, to develop, adopt in a regularly scheduled public meeting, and implement a fair, objective, and transparent mathematics placement policy with specified elements. The bill would further require each governing board of a local educational agency to ensure that its mathematics placement policy is posted prominently on its Internet Web site. By imposing additional

requirements on local educational agencies, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) Pupil achievement in mathematics is important to prepare  
4 pupils for college and their future careers, especially those careers  
5 in the fields of science, technology, engineering, and mathematics  
6 (STEM).

7 (b) *Placement in appropriate mathematics courses is critically*  
8 *important for a pupil during his or her middle and high school*  
9 *years.* A pupil's 9th grade math course placement is a crucial  
10 crossroads for his or her future educational success. Misplacement  
11 in the sequence of mathematics courses creates a number of barriers  
12 and results in pupils being less competitive for college admissions,  
13 including admissions at the California State University and  
14 University of California.

15 (c) The most egregious examples of mathematics misplacement  
16 occur with successful pupils and, disproportionately, with  
17 successful pupils of color. These successful pupils are achieving  
18 a grade of "B" or better, or are testing at proficient or even  
19 advanced proficiency on state assessments. Nevertheless, they are  
20 held back to repeat 8th grade mathematics coursework rather than  
21 advancing to the next course in the recommended mathematics  
22 course sequence.

23 (d) Mathematics misplacement has far-reaching impacts on a  
24 pupil's confidence, general knowledge of mathematical concepts,  
25 and high school experience, and may also impact the college career  
26 opportunities available to the pupil.

1 (e) New research shows that it is less common for pupils of  
2 color, even high-achieving pupils of color, to reach calculus by  
3 grade 12 compared to their white and Asian peers.

4 (f) All pupils, regardless of race or ethnic background, deserve  
5 an equal chance to advance in mathematics.

6 (g) With the shift towards implementation of the Common Core  
7 State Standards for Mathematics, it is particularly important for  
8 all pupils to have access to high-quality mathematics programs  
9 that meet the goals and expectations of these standards.

10 (h) It is crucial for teachers and guidance personnel to advise  
11 pupils and parents on the importance of accurate mathematics  
12 course placement and its impact on future college eligibility so  
13 pupils may take each course in the mathematics course sequence.

14 (i) California faces a looming shortage of college-educated  
15 workers in an increasingly competitive global economy.

16 (j) A policy for correct mathematics placement must be  
17 addressed in order to ensure a fair process and chance of success  
18 for all pupils.

19 SEC. 2. Section 51224.7 is added to the Education Code, to  
20 read:

21 51224.7. (a) This act shall be known, and may be cited, as the  
22 California Mathematics Placement Act of 2015.

23 (b) Governing boards of local educational agencies serving  
24 pupils in grade 8 or 9, or both, that do not have a mathematics  
25 placement policy as of January 1, 2016, shall develop, adopt in a  
26 regularly scheduled public meeting, and implement a fair,  
27 objective, and transparent mathematics placement policy that does  
28 all of the following:

29 (1) Systematically takes ~~current academic objective~~ *multiple*  
30 *objective academic* measures into consideration, such as ~~statewide~~  
31 *year-end grade 8* assessments, pupil grades, and ~~diagnostic~~  
32 ~~placement tests~~ *coursework*.

33 (2) Includes at least one ~~progress checkpoint during placement~~  
34 *checkpoint within the first month of the academic year to ensure*  
35 *accurate placement and permit reevaluation of individual pupil*  
36 *progress*.

37 (3) Requires examination of *aggregate* pupil placement data  
38 annually to ensure that there is no disproportionate impact in the  
39 course placement of pupils by race, gender, ethnicity, or  
40 socioeconomic background. The local educational agency shall

1 report the aggregate results of this examination to the governing  
2 board of the local educational agency and prominently post the  
3 examination results on its Internet Web site. This report may be  
4 included as part of the local educational agency's accountability  
5 report of its local control and accountability plan.

6 (4) Offers clear and timely recourse for each pupil and his or  
7 her parent or legal guardian who questions the pupil's placement.

8 (c) Each governing board of a local educational agency shall  
9 ensure that its mathematics placement policy is posted prominently  
10 on its Internet Web site.

11 (d) For purposes of this section, "local educational agency"  
12 means county office of education, school district, state special  
13 school, or direct-funded charter school as described in Section  
14 47651.

15 SEC. 3. If the Commission on State Mandates determines that  
16 this act contains costs mandated by the state, reimbursement to  
17 local agencies and school districts for those costs shall be made  
18 pursuant to Part 7 (commencing with Section 17500) of Division  
19 4 of Title 2 of the Government Code.